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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,476	04/15/2005	Stefan Madaus	PTB-4750-27	6503
23117 7590 04/22/2010 NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203				
EXAMINER				
TOYH, KAREN E				
ART UNIT		PAPER NUMBER		
3735				
MAIL DATE		DELIVERY MODE		
04/22/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10531476	4/15/2005	MADAUS ET AL.	PTB-4750-27

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ART UNIT	PAPER
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3735

20100419

DATE MAILED:

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Commissioner for Patents

The JPO action cited on the attached 1449 has not been considered because the citation does not meet the requirements of 37 CFR 1.98, as applicant has not provided a date for the document. The Examiner does not contest the MPEP's statement that "[t]here is no requirement that the information must be prior art references in order to be considered by the examiner"; however, the preceding sentence requires that the minimum requirements of 37 CFR 1.97 and 37 CFR 1.98 be met for this to be applied. Since all portions of 37 CFR 1.98 require that a date be provided for all cited documents (see, for example, 37 CFR 1.98(b)(5)), the presently submitted IDS fails to meet the minimum requirements and the cited document has therefore not been considered. The foreign patent documents cited in the IDS have been lined through as they were previously considered.

/Charles A. Marmor, II/
Supervisory Patent Examiner, Art Unit 3735